



EXPRESS SCRIPTS®

July 31, 2014

Via Fed Ex

Omniphus Pharmacy
Pharmacy Owner
4916 Main St. Ste. 100
Houston, TX 77002

PSAO: Truecare
Attn. Plan Administrator
6300 Enterprise Road
Kansas City, MO 64120

Re: Termination of Omniphus Pharmacy, NCPDP 5900952 ("Provider")

Dear Provider,

This letter represents notice of immediate termination of Provider by Express Scripts, Inc. ("ESI") and Medco Health Services Inc. ("Medco") (collectively, "Express Scripts").

Express Scripts recently re-credentialed Provider in accordance with Section 2.2 B of the ESI Provider Agreement and Section 1.4 of the Provider Manual. During the re-credentialing process, Express Scripts learned that Provider made materially misrepresentations to Express Scripts in response to credentialing questionnaire. Specifically, Provider gave the following response:

Question 29 asks whether Provider or its pharmacies "ever waive or offer a reduction of member copayments?" The question further asks Provider to submit written policy relating to the waiver/reduction or copayments. In response, Provider marked "no," indicating the Provider is not engaged in waiving or discounting copayments. Provider certified that this information was true and accurate.

Upon review, Express Scripts determined that the information provided above was a misrepresentation. Rather, multiple members have stated that Provider waived or discounted copayments.

Based on this information, Express Scripts has made the decision to immediately terminate Provider's participation under the Provider Agreement(s) in accordance with 4.2 (c) of the ESI Provider Agreement and Appendix B of the Provider Manual¹:

Immediate Termination. PBM shall have the right to immediately terminate this Agreement upon written notice to Network Provider in the event that... (v) any representation to PBM or any response to a question set forth on the Provider Certification is untrue or becomes untrue.

Termination shall be effective on September 1, 2014, (the "Termination Date"). From and after the Termination Date, Provider will no longer be considered a participating provider.

¹ The quoted language is from Appendix B of the Provider Manual, which is incorporated by reference into Pharmacy's Provider Agreements with Medco and ESI. Additionally, similar language exists in Pharmacy's Provider Agreement with ESI.

GOVERNMENT
EXHIBIT
216
4:18-CR-368



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Please retain a copy of this letter as Provider's official notice of termination. Should you have any questions regarding this notification, please contact me.

Sincerely,

Bonnie Roberts

Director, Provider Credentialing

Express Scripts, Inc.

Phone: 314-684-5102

Email: Bonnie.roberts@express-scripts.com